

UNITED STATES BANKRUPTCY COURT

Western District of Texas (San Antonio)

In re Charles Brett Alston
DebtorCase No. 11-53339
Chapter 13**Notice of Mortgage Payment Change**

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Bank of America, N.A.

Court claim no. (if known):

Last four digits of any number you
use to identify the debtor's account:

8876

Date of payment change:

Must be at least 21 days after date of this notice

05/01/2014

New total payment:

Principal, interest, and escrow, if any

\$898.63

Part 1: Escrow Account Payment Adjustment

Will there be a change in the debtor's escrow account payment?

☐ No☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law.

Describe the basis for the change. If a statement is not attached, explain why:

Current escrow payment: \$201.94

New escrow payment: \$229.01

Part 2: Mortgage Payment Adjustment

Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?

☒ No☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law.

If a notice is not attached, explain why:

Current interest rate:

New interest rate:

Current principal and interest payment:

New principal and interest payment:

Part 3: Other Payment Change

Will there be a change in the debtor's mortgage payment for a reason not listed above?

☒ No☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change:

Current mortgage payment:

New mortgage payment:

Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box:



I am the creditor.



I am the creditor's authorized agent.

(Attach a copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

X

/s/ Kendrick Stribling

Date 03/12/2014

AVP,Bankruptcy Specialist

Print: Kendrick Stribling

Title AVP,Bankruptcy Specialist

Company Bank of America, N.A.

Address 2380 Performance Drive
RICHARDSON, TX 75082

Specific Contact Information:

Phone: 214-209-8461

Email: kendrick.stribling@bankofamerica.com

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UNITED STATES BANKRUPTCY COURT

Western District of Texas (San Antonio)

Chapter 13 No. 11-53339

Judge: Chief Bkptcy Judge Ronald B. King

In re:

Charles Brett Alston

Debtor(s).

CERTIFICATE OF SERVICE

I hereby certify that on March 12, 2014, I have served a copy of this Notice and all attachments to the following by U.S. Mail, postage pre paid, or via filing with the US Bankruptcy Court's CM ECF system.

Debtor: Charles Brett Alston
136 Bentwood Drive
Boerne, TX 78006

Debtor's Attorney: Rick Flume
Flume & Associates
8700 Crownhill Blvd, Suite 502
San Antonio, TX 78209

Trustee: Mary K Viegelahn
Chapter 13 Trustee
10500 Heritage Blvd Suite 201
San Antonio, TX 78216

/s/ Bill Taylor

Authorized Agent

Bank of America**Home Loans**

CUSTOMER SERVICE
P.O. BOX 5170
SIMI VALLEY, CA 93062-5170

Statement date: 03/05/2014**Loan No.:** [REDACTED]

CHARLES B & JENNIFER D ALSTON
1296 COTTONWOOD DR
SIERRA VISTA AZ 85635

Property address:
2532 MEADOWLARK DRIVE
SIERRA VISTA, AZ 85635

IMPORTANT MESSAGE ABOUT YOUR HOME LOAN

Your escrow account was recently reviewed as part of the terms of your Chapter 13 plan and, as a result, the escrow portion of your monthly loan payment may be changing effective 05/01/2014.

Enclosed is an updated escrow analysis statement for your loan.

WHAT YOU NEED TO DO

There's nothing you need to do. Please keep this notification for your records.

QUESTIONS?

We're pleased to serve your home loan needs. If you have any questions, please call us at 1-800-669-6607, Monday-Friday 7a.m. to 7p.m. Local Time.

We're required by law to inform you that Bank of America, N.A. is a debt collector. If you are currently in a bankruptcy proceeding or have received a discharge of the debt referenced above, this notice is for informational purposes only and is not an attempt to collect a debt or demand a payment. If you are represented by an attorney, please provide this notice to your attorney.



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Bank of America**Home Loans****Account Number** [REDACTED]**Statement Date** 03/05/2014

CHARLES B & JENNIFER D ALSTON
2532 MEADOWLARK DRIVE
SIERRA VISTA, AZ 85635

ESCROW ACCOUNT REVIEW

ESCROW EXPLAINED

This escrow statement is being sent for **informational purposes only**. It should not be construed as an attempt to collect a debt or to modify the terms of your chapter 13 plan. Note that your chapter 13 bankruptcy plan may provide for the Trustee to pay escrow amounts outstanding on your loan as of the date you filed your bankruptcy case or may otherwise provide for the Trustee to pay amounts due to escrow.

Part of your monthly loan payment goes into an account to pay for your property taxes and insurance premiums. During the year, payments are made out of this account when bills come due. This notice describes any changes needed in your monthly payment to maintain enough money in your escrow account to pay these bills. In our step-by-step analysis, we determine the data shown below to calculate your new escrow payment.

If this is your first escrow statement after filing your chapter 13 bankruptcy, this escrow account review was performed as of the date you filed for bankruptcy and your new monthly escrow payment has been calculated in accordance with applicable bankruptcy law. The amount shown in the Summary section below as the New monthly home loan payment is the updated and correct amount due for the month shown. If you previously received a monthly coupon for the same due date, the payment amount below is intended to replace the coupon you previously received, as the coupon was prepared and sent before we had notice of your chapter 13 bankruptcy filing. If you're making your monthly mortgage payments under your chapter 13 plan, please pay the New monthly home loan payment amount shown below.

If this is an annual escrow statement provided during your chapter 13 bankruptcy, we've prepared this escrow statement to track your escrow obligations during the period when you're making payments under the terms of your chapter 13 plan.

If you have filed a chapter 13 plan that provides for maintaining your home, our step-by-step analysis is based on the assumption that you will be making your chapter 13 plan payments, including plan payments to cure amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan. If you're unable to complete your plan payments and your case is dismissed, converted to a chapter 7, or the automatic stay is lifted, then your monthly escrow payment will need to be recalculated to account for the cure amounts still due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan.

See below for:

- an in-depth explanation of each step of your escrow analysis
- side-by-side comparison of last year's projected and actual data

SUMMARY

Base amount needed (<i>see Step 1</i>)	The expected monthly amount needed to pay your property taxes and insurance premiums	\$199.57
Shortage payment (<i>see Step 2</i>)	The monthly amount you must pay into your escrow account to keep the balance from falling below zero during the year	\$0.00
Reserve requirement (<i>see Step 3</i>)	The monthly amount allowed by federal law for unexpected tax and insurance increases and other costs	\$29.44
New monthly escrow payment (<i>see Step 4</i>)		\$229.01
New monthly home loan payment effective 05/2014 (<i>see Step 4</i>)		\$898.63

In future escrow analyses, Bank of America, N.A. reserves the right to assess the amount allowed by federal law for unexpected tax and insurance increases and other costs.

HOW WE CALCULATE YOUR ESCROW PAYMENT

STEP 1 Determine base amount needed for the year

<i>Escrow items</i>	<i>Amount needed</i>	<i>Frequency in months</i>	<i>Monthly amount needed</i>
County taxes	\$528.44	6	\$88.07
Homeowners insurance	1,338.00	12	111.50
Total monthly base payment amount			\$199.57

STEP 2 Determine lowest projected balance

In the chart located below, we project the amounts you will pay into your escrow account next year and the amounts we will pay out for your insurance and tax bills. Remember, these figures are only projections and may not reflect the actual payments made at the time they are due.

<i>Month</i>	<i>Escrow deposit(s)</i>	<i>Tax payment(s)</i>	<i>Insurance payment(s)</i>	<i>MIP/PMI payment(s)</i>	<i>Balance</i>
Post Petition Beginning Balance					\$783.58
May 2014	199.57				983.15
June 2014	199.57				1,182.72
July 2014	199.57		1,338.00		44.29 *

Bank of America

Home Loans

Account Number [REDACTED]**Statement Date** 03/05/2014

CHARLES B & JENNIFER D ALSTON
2532 MEADOWLARK DRIVE
SIERRA VISTA, AZ 85635

STEP 2 Determine lowest projected balance - continued

<i>Month</i>	<i>Escrow deposit(s)</i>	<i>Tax payment(s)</i>	<i>Insurance payment(s)</i>	<i>MIP/PMI payment(s)</i>	<i>Balance</i>
August 2014	199.57				243.86
September 2014	199.57				443.43
October 2014	199.57	528.44			114.56
November 2014	199.57				314.13
December 2014	199.57				513.70
January 2015	199.57				713.27
February 2015	199.57				912.84
March 2015	199.57				1,112.41
April 2015	199.57	528.44			783.54
Post Petition Ending Balance					\$783.54

Lowest projected balance **\$44.29**

Shortage payment amount **\$0.00**

The Post-Petition Beginning and Ending balances above are projected balances, which assume that all payments due under your chapter 13 bankruptcy plan will be made, including your regularly scheduled mortgage payments due after the bankruptcy filing and all plan payments to cure amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan.

At the time of analysis, Bank of America, N.A. assumes that all scheduled mortgage payments will be made to the effective date of your new payment.

* Using the Post-Petition balances, your Lowest projected balance (LPB) reflects a positive balance (a balance greater than zero). In the next step, we will compare this amount to your escrow reserve requirement to determine if there is an overage.

STEP 3 Determine reserve requirement

Federal law allows for the collection of a reserve amount to maintain a cushion for unexpected tax and/or insurance increases and other costs.

The reserve used for this period is shown below.

Lowest projected balance (<i>see Step 2 above</i>)	\$44.29
Total reserve requirement (16.6% of the base amount) *	\$397.55
Additional amounts required	353.26
Monthly reserve requirement (353.26 divided by 12)	\$29.44

Potential overage **\$0.00**

* Base amount equals the total of payments anticipated to be paid out of the escrow account during the year but excludes Private Mortgage Insurance (PMI) or MIP amounts.

STEP 4 Determine monthly payments**Calculation of monthly escrow payment**

Base amount needed for taxes and/or insurance (<i>see Step 1</i>)	\$199.57
Shortage payment (<i>see Step 2</i>)	.00
Reserve requirement (<i>see Step 3</i>)	29.44
Total monthly escrow payment	\$229.01

Calculation of monthly home loan payment

Principal and/or interest	\$669.62
Total monthly escrow payment	229.01
Total monthly home loan payment effective 05/2014	\$898.63

LAST YEAR IN REVIEW**Current analysis compared to previous****Monthly amount**

<i>Amount needed for taxes and insurance</i>	<i>Last analysis</i>	<i>This analysis</i>
County taxes	\$88.52	\$88.07
Homeowners insurance	113.42	111.50
Total base escrow payment	\$201.94	\$199.57
Shortage payment	.00	.00
Reserve requirement	.00	29.44
Rounding amount	.00	.00
Monthly escrow payment	201.94	\$229.01
Principal and/or interest	\$669.62	\$669.62
Monthly escrow payment	201.94	229.01
Total payment amount	\$871.56	\$898.63

Bank of America**Home Loans****Account Number** [REDACTED]**Statement Date** 03/05/2014

CHARLES B & JENNIFER D ALSTON
2532 MEADOWLARK DRIVE
SIERRA VISTA, AZ 85635

Summary of escrow change

As shown, your base escrow amount decreased. Your reserve percentage increased. Your reserve payment increased. The result of these factors caused your total escrow payment to increase.

A side-by-side comparison of last year's projected escrow account activity and actual activity can be found below.

Last year's escrow payments

If you have recently filed a chapter 13 bankruptcy, then we have provided below a side-by-side comparison of your prior projected escrow account activity to the actual account activity.

If this is an annual escrow statement provided during your chapter 13 bankruptcy, then the projected escrow account activity below was performed in accordance with the terms of your chapter 13 plan. At the same time, we also maintained a separate accounting that reflected your escrow account activity as would be provided under the terms of your loan documents outside of bankruptcy (shown below under the heading "Actual"). The Actual escrow activity includes both the receipt of your regular monthly mortgage payments to escrow and any cure payments made under the terms of your chapter 13 plan for escrow amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan. Below is the side-by-side comparison of the plan projected activity to the actual activity for last year. Upon the completion of your chapter 13 plan, if all payments due under the chapter 13 plan are received and taxes and insurance were paid in the amounts anticipated then the projected and actual ending balances should match. If you are unable to complete your chapter 13 plan payments and your case is dismissed, converted to a chapter 7, or the automatic stay is lifted, then the actual accounting shown below will be used in performing your next escrow analysis.

Projected					Actual				
Date	Activity	Paid in	Paid out	Balance	Date	Activity	Paid in	Paid out	Balance
	Beginning balance			\$1,778.99		Beginning balance			\$957.12
04/02/2013	County taxes		531.12	1,247.87	05/31/2013	Jun Payment	201.94		1,159.06
05/01/2013	May Payment	201.94		1,449.81	06/28/2013	Jul Payment	201.94		1,361.00
06/01/2013	Jun Payment	201.94		1,651.75	07/02/2013	Homeowners ins pmt		1,338.00	23.00
07/01/2013	Jul Payment	201.94		1,853.69	08/02/2013	Aug Payment	201.94		224.94
07/02/2013	Homeowners insurance		1,361.00	492.69	08/30/2013	Sep Payment	201.94		426.88
08/01/2013	Aug Payment	201.94		694.63	10/01/2013	Oct Payment	201.94		628.82
09/01/2013	Sep Payment	201.94		896.57	10/07/2013	County tax pmt		528.44	100.38
10/01/2013	Oct Payment	201.94		1,098.51	11/01/2013	Nov Payment	201.94		302.32
10/02/2013	County taxes		531.12	567.39	12/02/2013	Dec Payment	201.94		504.26
11/01/2013	Nov Payment	201.94		769.33	01/02/2014	Jan Payment	201.94		706.20
12/01/2013	Dec Payment	201.94		971.27	02/03/2014	Feb Payment	201.94		908.14
01/01/2014	Jan Payment	201.94		1,173.21	03/03/2014	Mar Payment	201.94		1,110.08
02/01/2014	Feb Payment	201.94		1,375.15	03/05/2014	Apr Payment	201.94		1,312.02
03/01/2014	Mar Payment	201.94		1,577.09	04/01/2014	County taxes		528.44	783.58
04/01/2014	Apr Payment	201.94		1,779.03		Ending balance			\$783.58
04/02/2014	County taxes		531.12	1,247.91					
	Ending balance			\$1,247.91					
Summary of escrow payments and disbursements					Summary of escrow payments and disbursements				
County taxes		1,593.36			County taxes		1,056.88		
Homeowners insurance		1,361.00			Homeowners insurance		1,338.00		
Payments		2,423.28			Payments		2,221.34		

* Lowest projected balance

P - The letter (P) beside an amount indicates that the payment or disbursement has not yet occurred but is estimated to occur as shown.

In performing the projection above, Bank of America, N.A. assumed that all regularly scheduled mortgage payments would be made that were due prior to the projection period.

